

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HAO ZHE WANG,

Plaintiff,

- against -

VERIZON COMMUNICATIONS, INC., et al.

Defendants.  
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**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 5/14/2021

19-CV-9506 (JMF) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This resolves Plaintiff's motions to (1) stay further proceedings until the Verizon defendants come into full discovery compliance (Dkt. 170), and (2) to sanction Verizon Defendants Pursuant to 11(c) (Dkt. 171). Both motions are DENIED.

**Motion to Stay:** Any deficiencies in Verizon defendants' discovery responses can be dealt with through appropriate discovery mechanisms. A stay of proceedings, including Verizon's pending motion to dismiss, is not warranted. Further, Plaintiff's motion consists of mostly conclusory and non-specific accusations without evidentiary support. Plaintiff's reference to local rule 12.1 is not relevant here. That rule addresses submission of additional evidence that would convert a motion to dismiss into a motion for summary judgment, a scenario not currently presented. The motion to stay is denied.

**Motion for Sanctions:** Plaintiff has not provided any information indicating that he has complied with the requirements of Rule 11(c)(2), which require serving the motion and giving the opposing party 21 days within which to redress the matter before the motion is filed. In any event, the motion fails on the merits in that it is premised on speculation and/or improper inferences about the role played by various Verizon

corporate entities based, in part, on materials from a lawsuit that Plaintiff acknowledges is “unrelated” to the present case. (Dkt. 171 at 1.) The motion for sanctions is denied.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: March 14, 2021  
New York, New York